

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard J. Gambino et al.
Serial No. : not yet assigned Examiner : B. Pianalto
Filed : not yet assigned Group Art Unit: 1762
For : THERMALLY SPRAYED FLEXIBLE MAGNET WITH AN INDUCED
ANISOTROPY

November 7, 2001

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Preliminary to initial examination, please amend the present divisional application
as follows:

IN THE CLAIMS:

Please cancel claims 1-12, which have been allowed in the parent application.

REMARKS

In the parent application, a restriction requirement under 35 U.S.C. §121 was
issued as between Group I consisting of claims 1-12 and Group II consisting of claims 13-27. In

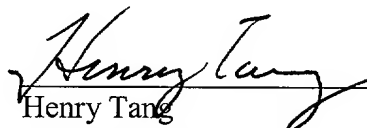
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a telephone interview with Examiner Pianalto on July 9, 2001, applicants' attorney made a provisional election with traverse to prosecute the invention of Group I, claims 1-12.

In an Official Action dated July 20, 2001, claims 1-12 were allowed and applicants were given one month or thirty days from the mailing of the Official Action, whichever is longer, to cancel the non-elected claims. It is stated in the Official Action that failure to take action during this period will be treated as authorization to cancel the non-elected claims by Examiner's Amendment and pass the case to issue, and that extensions of time under 37 C.F.R. §1.136(a) will not be permitted since the application will be passed to issue. Because no response was timely filed, applicants expect that a Notice of Allowance of the parent application with the elected claims will issue in due course.

Applicants hereby respectfully request examination of claims 13-27 in the present divisional application.

Respectfully submitted,



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